

CASE NAME: US VS. MARIJAN CVJETICANIN

DATE: March 27, 2013

PARTICIPANTS: MARIJAN CVJETICANIN  
STEVEN WEINBERG

ABBREVIATIONS:

[Brackets] Transcriber's notes

[U/I] Unintelligible conversation

Plain text Words spoken in English

[Ph] Phonetic rendering

**NAME**

**ORIGINAL LANGUAGE**

[BEGINNING OF RECORDING]

[RUSTLING SOUND]

[DIAL TONE/TELEPHONE RING]

WEINBERG: [ASIDE: He's here.]

[BACKGROUND: MUFFLED VOICES]

MARIJAN: [U/I].

[BACKGROUND: VOICES]

MARIJAN: [BACKGROUND: VOICES] Thank you very much, well, I'll get [U/I].] Thank you.

WEINBERG: Come on in.

MARIJAN: Very good. Uh, good afternoon sir. How are you doing?

WEINBERG: Okay, uh...

MARIJAN: Okay, good!

WEINBERG: I'm a little crazy.

MARIJAN: Listen, I, I, I, [LAUGHS]. That's, I, I, I wanted to tell you. I mean you know; what are you doing this week? But, uh, uh, uh, you know, what are we doing next week? [LAUGHS].

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WEINBERG:	Look Marijan.
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MARIJAN:	Yes.
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WEINBERG:	It's been six (6) months now, okay?
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MARIJAN:	Yes.
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WEINBERG:	[SIGH]. I've been going crazy. What do I mean by that? I've had to deal with ADP; I've had to deal with Broadridge; I've had to deal with Mark DiGidio, and I had to deal with Dave Turetsky. And we gotta talk honestly you and me. I, I mean I just gotta talk to you man. I've been going through everything, so let's just talk turkey, no bullshit.
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[VOICES OVERLAP]

MARIJAN:	Okay, yeah.
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WEINBERG:	DiGidio sent me these. These are your bills.
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MARIJAN:	Okay.
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WEINBERG:	You gotta tell me the truth Marijan; I gotta find out some shit here man. [RUSTLING]. Okay and here goes. These are Computer Worlds. You know why I'm showing them to you.
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MARIJAN:	Yes! Because we don't have any ads in Computer Worlds.
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WEINBERG:	Correct.
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MARIJAN:	That's what I know.
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WEINBERG:	Well...
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MARIJAN:	We had some, not, not...
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WEINBERG:	Marijan you billed them.
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MARIJAN:	Yes.
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WEINBERG:	For a thousand (1,000) dollars for every ad.
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MARIJAN:	Correct, the agreement was that this is the agency's profit. Uh, uh, basically, because otherwise, otherwise, the, the, otherwise, the, the, the newspapers are billed down to the cost of the newspaper ads.
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WEINBERG:	Whose agreements? What do you mean the agreement?
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MARIJAN:	That was, that was agreement with both of them and ADP. And we do them and we use them, if we need to. Because occasionally what happened that they wouldn't post the corporate run on time. Or they wouldn't post them correctly.
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WEINBERG:	Marijan...
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MARIJAN:	And then I...
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WEINBERG:	... Are you telling me that...
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[VOICES OVERLAP]

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MARIJAN:	I have, by the way I have Computer World ads, I have them.
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WEINBERG:	No, you don't. Not in these magazines. I got every edition for the last three (3) years right here.
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MARIJAN:	In the last year, I'll show you in the last couple of years.
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WEINBERG:	I, in the last three years Marijan...
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[VOICES OVERLAP]

MARIJAN:	A couple of times.
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WEINBERG:	...There were no ads. I just want you to understand this that I don't want to get screwed for this. I don't want to be in trouble. I gotta somehow figure out. You're telling me that I should tell them, that they knew that you were billing them improperly for this?
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MARIJAN:	Well I wouldn't say improperly. What happens, that occasionally we had to use them. Because what hap', uh, let me tell you what happens. You know you need three methods of recruitment; I'm sure you remember that. Uh, you, you know that. And not, not that you remember that one (1) of these three (3) with that was their corporate, corporate, uh, uh, web-ad. Whenever they would screw up the corporate web-ad, which particularly Broadridge did on a couple of occasions, because they were shifting between the HR managers, then I used Computer World. And I had no choice.
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[VOICES OVERLAP]

WEINBERG:	Yeah, but there's no ads in Computer World!
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MARIJAN:	If, if I send you something, would you be able to verify?
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WEINBERG:	No, I've read every magazine!
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MARIJAN:	Uh...
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WEINBERG:	There are none.
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MARIJAN:	I, I'm telling you that I'll find. I'm telling you...
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WEINBERG:	Marijan, I got the ad, magazines here! I went through every one of them! They're not here.
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MARIJAN:	UH, particularly for Broadridge, I'm sure I have at least two (2) or three (3). Because on a couple of occasions I used them.
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WEINBERG:	And ADP?
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MARIJAN:	Same.
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WEINBERG:	Marijan, I have every magazine since 2010, January.
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MARIJAN:	Okay maybe, maybe that's since two thousand, 2007, 2008, because in 2010 we managed to particularly with, with Broadridge we managed to organize centrally. So maybe since 2010 I...
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[VOICES OVERLAP]

WEINBERG:	Marijan it's a thousand (1,000) dollars an ad, and hundreds of bills!
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MARIJAN:	Right, let's...
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WEINBERG:	That's two hundred thousand (200,000) dollars in billing for
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Computer World...

MARIJAN: Right and it's...

[VOICES OVERLAP]

WEINBERG: ...And there's not one ad!

MARIJAN: Correct; and let's assume that even this is correct. So what happens here is that this is down the cost of the exact, uh, the exact newspaper ad. This one is the agency profit, if we need to use it, we use it, if we don't this is the agency's profit. And that was exactly how it was agreed.

WEINBERG: Who? You agreed with DiGidio? You agreed with Turetsky? You agreed with Elizabeth?

MARIJAN: Not, not with them! It was either Elizabeth or was the other one I forgot her name. Whatever, who, who it was Patricia, who works with them... And that, that's...

[VOICES OVERLAP]

WEINBERG: Marijan, you want me to tell them this? You want me to tell them this?

MARIJAN: You want me to tell them? I mean, I'll, I'll put an email out explain, and I will give a copy for them to use them. If they disagree, they disagree, I mean, but that's, that's what it is.

WEINBERG: okay.

MARIJAN: And look at, look at the newspaper ads.

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WEINBERG:	Alright.
MARIJAN:	Newspaper you will find it. Compare it with Bettina ads [PH]. When you compare you will see that this is below the price that you are paying Bettina. The reason why, is because there is no agency profit. If this were not for the Computer World, the agency would never make a dime.
WEINBERG:	Okay, now I'm going to tell you something else.
MARIJAN:	Yeah.
WEINBERG:	I went through every labor certification filed by this office since 2010.
MARIJAN:	Okay.
WEINBERG:	I believe that you didn't advertise period, except in rare instances. I have all, listen! Listen to me. I have all of the newspapers; I went through great expense because I'm afraid. I got every newspaper and I know there weren't ads, as alleged in the labor certification. I'm going to go further, I know that when an audit came in here you placed an ad afterwards and then cop', then changed, then changed the date and used that ad.
MARIJAN:	That's a little bit too much [LAUGHS].
WEINBERG:	Uh, Marijan.
MARIJAN:	[LAUGHS] It's sort of James Bond.
WEINBERG:	I know! I know it's true.



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MARIJAN:	That doesn't [U/I] what James Bond.
WEINBERG:	I found it!
MARIJAN:	Do you think anyone would have even time to do that here?
WEINBERG:	Marijan...
MARIJAN:	Given the, given the volume.
WEINBERG:	I have everything. I went, because...
MARIJAN:	Right.
WEINBERG:	... Because I've been so nervous; let me tell you what I did. Since I've been so nervous; you know me... I hired someone in Washington to go to the Library of Congress.
MARIJAN:	Uh-hum.
WEINBERG:	And to look up every [BACKGROUND: CELL PHONE PING] alleged ad. Seattle Times...
MARIJAN:	Uh-hum.
WEINBERG:	Boston Globe... Marijan, I know already.
MARIJAN:	Atlanta Journal and New York Times.
WEINBERG:	I know already exactly what happened.

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MARIJAN:	How do you come up...?
WEINBERG:	I matched the ads.
MARIJAN:	... January 2010? I mean, it's, it's weird.
WEINBERG:	I don't know. That's how, because I went through the files.
MARIJAN:	And you didn't go, didn't...
WEINBERG:	And what I found in every file was there was no ad. Okay?
MARIJAN:	Uh, how about...?
WEINBERG:	Except, when I went to January 2010 there were ads. How about I went to show him Sean Belize [PH] and there was an ad in the Free Detroit Press. How about Marijan, I, I went to his file, there was an ad there. So there were some ads, but ninety (90) percent of them, were no ads.
MARIJAN:	How about 2008, 2009? How about that?
WEINBERG:	There were ads.
MARIJAN:	So, you, you went to 2010, you think that we are having problems since 2010.
WEINBERG:	Yes.
MARIJAN:	I've seen, I've seen original ads, I've seen them. I've, I've too many. There is something wrong with your analysis.

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WEINBERG:	There's nothing wrong with my analysis. I have it black and white, as clear as day. Every labor certification, the dates that they were supposed to be advertised and they weren't there, every one. Except rarely. Then I see I get an audit in the month of June for an application filed in January. Then what happens is the ad is placed in June and the by-line is changed with another date earlier. So that it appears the ad was placed earlier. I know this Marijan.
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MARIJAN:	It's too much; it's too much. Who, would even deal with something like this?
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WEINBERG:	Okay?
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MARIJAN:	It's, it's Mr. Weinberg it's impossible. Meaning, not that it's impossible what you are telling me, um...
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WEINBERG:	What happened was, every labor certification that I got in after you left; every one of them. I went, I started there. And with those labor certifications I went back, and not one of them were advertised. Not one. From there I started going further and further and further back in order to figure out what happened here.
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MARIJAN:	But what, what, [STUTTERS], what, what this has to do with 2010? It's like, like...
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WEINBERG:	Because that's where I stopped. That's where I found the ads. So when the files then started to have ads in them, at that time. So then I found the ads; okay there are tear sheets, but there were no tear sheets or very, very few. And I found every single audit case, every single audit case; many more than I knew about, had ads that were bogus. They weren't placed in the time that it was alleged Marijan.
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MARIJAN:	This...
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WEINBERG:	Marijan, come on, you're dealing with a major corporation that I believe was fleeced for hundreds of thousands of dollars.
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MARIJAN:	It's, it's, it's impossible I've sold so many. Now, look, look what I have. What I just want to show you. These are your ads, which I receive. I haven't even opened the envelopes, 'cause I, I know that these are not my ads, they have nothing to do with it. Haven't even opened, they came directly to me from Seattle Times. This, you know, this is what these advertising people do.
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WEINBERG:	Marijan...
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MARIJAN:	And I, I haven't even, I haven't even opened this.
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WEINBERG:	... I'm not talking about this. I have all the ads that I placed; I don't even care about these.
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MARIJAN:	I know, I know, but I just want, I just want to show you!
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[VOICES OVERLAP]

WEINBERG:	I got everything that I placed!
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MARIJAN:	I just want to show you. The problem with the Library of Congress, that I was telling you and everything else, because I tried to use a couple of times. There's some online resources that's in, in, some basically, basic organization that follow them, that they have different editions of the same newspapers. Sometimes you would place the ad; particularly Star Ledger; Star Ledger has a huge problem, and New York Times. New York Times you buy up there in, in Westchester and you cannot find the ad which I can find in Long Island. Because it has a Long Island edition, it has a City edition or something like this.
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WEINBERG:	Yeah, I, uh...
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MARIJAN:	So, all, all this, and the reason I'm giving you this, actually I haven't even Mr. Weinberg. I haven't even opened this!
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WEINBERG:	You realize how dangerous this is? These ads?
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MARIJAN:	Yes!
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[VOICES OVERLAP]

WEINBERG:	That's in these magazines?
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MARIJAN:	Yes.
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WEINBERG:	You realize how dangerous it is?
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MARIJAN:	Yeah, but I can easily explain. [U/I].
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[VOICES OVERLAP]

WEINBERG:	How could you explain?! You told them that you are an attorney in this office, billed them through your company for ads telling them, advertisement in Computer World Magazine, uh, position recruitment, and there was no ad. No ad!
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MARIJAN:	Well, there was a, there was a previous, there was a previous agreement as to how this will be handled and I used it a couple of times and they screwed up in order to basically save their butts.
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WEINBERG:	I, I, I, I don't see how you could use something and there is no ad!
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How could you use it if there is no ad?

MARIJAN:	I don't... Well, I, I, I'll show you ads. Maybe they were not before 2010, maybe were 2000, 2009.
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WEINBERG:	Okay, but these bills are 2012, these are all bills...!
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MARIJAN:	But, because I managed to organize it without, that is true, that is true. I managed to organize it without. We, we stopped making these mistakes which we had in 2008, 2009. Do you remember that woman who actually started with us and Broadridge?
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[VOICES OVERLAP]

WEINBERG:	You know what, uh...
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MARIJAN:	Let me just, let me just finish. Before Patricia there was a woman by the name, I think was Williams.
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[VOICES OVERLAP]

WEINBERG:	Williams!
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MARIJAN:	Exactly, exactly, she wouldn't be able, she, she, she was unable to place a single ad on a corporate website, for whatever reason, I, I don't go into that; why she was like this.
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WEINBERG:	Again, listen, I, I, it, it just doesn't matter!
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MARIJAN:	Same goes with Elizabeth before 2000, and you're right, about 2008, 2009 they started actually putting their acts together, because managers started complaining about all this; because I had a couple of cases that had, you know, I had to basically redo everything. Because they didn't have corporate ads, and then we
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started doing this.

WEINBERG:	I'm going to have to explain to them, since I don't believe you, I don't believe you.
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MARIJAN:	Well I'll give you a couple of these ads.
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WEINBERG:	Marijan, uh, this is very hard for me. This is extremely hard for me... but [SIGH] we will bear the consequence of this, that's all I can say. There's hundreds of thousands of dollars that are unaccounted for.
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MARIJAN:	No, they are not unaccounted for.
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WEINBERG:	Yes they are. Where the hell is the money?
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MARIJAN:	We know, we know who billed them, we know who [U/I] they were billed [U/I] we know absolutely everything.
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WEINBERG:	Yeah, we know you billed them. We know that.
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MARIJAN:	We billed them, they paid; they got their labor certs approved.
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WEINBERG:	There are ads that are alleged to be placed Marijan...[Voices overlap]
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MARIJAN:	They got their [U/I]... Let them try!
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[VOICES OVERLAP]

WEINBERG:	They'll report it!
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MARIJAN:	They'll leave; they'll have to revoke each and every I-140 that was billed on this since 2010. Let them try! I'd like to see that happen.
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WEINBERG:	Who said? Who? Let who try? ADP?
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MARIJAN:	Let them try to do something. Either ADP or Broadridge. Let them try to do something.
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WEINBERG:	What do you mean? They're, they're our clients! They're our, our...
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[VOICES OVERLAP]

MARIJAN:	The, each of them, do you know how many others... Well I'm saying nothing, if they say nothing! This was the mutual agreement which benefitted them; which benefitted them. And it benefitted them...
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[VOICES OVERLAP]

WEINBERG:	But who made the agreement? I don't even what you are talking about the agreement!
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MARIJAN:	They said, they said that this is perfect, they said they would...
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[VOICES OVERLAP]

WEINBERG:	They agreed with Flowerson Holdings? They agreed with Flowerson Holdings? I only have...
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[VOICES OVERLAP]



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MARIJAN: [U/I]. Wait, wait; listen to me [PH].

MARIJAN: Yes, I even had [U/I]. I even have

WEINBERG: They didn't agree with Wildes and Weinberg; that's for sure!

MARIJAN: They, they... Well they did because they have emails from me. Meaning, they, you know, my emails from, from, you know, your firm or our firm and they said "oh, yes, perfect. Do it that way."

WEINBERG: Seattle Times.

MARIJAN: Yes.

WEINBERG: [RUSTILNG]. Computer World.

MARIJAN: Mr. Weinberg...

[VOICES OVERLAP]

WEINBERG: No ads! If they freaking go after, uh....

MARIJAN: They can't!

WEINBERG: I, I'm afraid of what's going to happen!

MARIJAN: They are not going to go, and if they do they will have to revoke all of these I-140s with whatever consequences there will be.

WEINBERG: So you want me to call them up and say "by the way guys, you can do nothing about this."

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MARIJAN:	Exactly.
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WEINBERG:	"Marijan..."
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[VOICES OVERLAP]

WEINBERG:	"...Billed you for something that he didn't do and, uh, you should forget about it."
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MARIJAN:	Uh, yeah, uh, we can't, we can't say that.
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WEINBERG:	Or Flowerson billed them for something. What are we, what am I going to say?!
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MARIJAN:	But... you cor', you cornered yourself by contacting them and doing all of this before asking me!
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WEINBERG:	What am I going to do?
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MARIJAN:	Well not that, now you're...
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[VOICES OVERLAP]

WEINBERG:	They contact me!
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MARIJAN:	Now you're... they didn't contact you in the first place, because you're now basically, basically you alerted them there were some problems with the ads or something like this. If you didn't do that...
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WEINBERG:	I...
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MARIJAN:	If you didn't do that they would have not, never done. But I have no problem with this; I have no problem with this. That's fine, tell them, okay...
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WEINBERG:	I had to go to my malpractice carrier and say I'm afraid of something. [CELL PHONE RINGING] That's ah... one second.
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MARIJAN:	That's okay, that's okay.
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WEINBERG:	[ASIDE: Yeah Jake, what it is?]
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[BACKGROUND: JAKE: (U/I) we got a big problem.]

WEINBERG:	[Aside: What's the matter? Come on just say it; I got, uh, I'm doing something.]
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[BACKGROUND: JAKE: I, I got (U/I) with the...]

WEINBERG:	[Aside: How much?]
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[BACKGROUND: JAKE: Maybe (U/I) hundred dollars.]

WEINBERG:	[Aside: What?]
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[BACKGROUND: JAKE: He gave actually, (U/I) (MUFFLED VOICE)]

WEINBERG:	[Aside: Alright, listen; I'm doing something now; I'm in a meeting. I'm going to call you back in ten (10) minutes.]
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[BACKGROUND: JAKE: Alright.]

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WEINBERG:	[Aside: Fucking kids.]
MARIJAN:	[CHUCKLES]. So, what I wanted to...
WEINBERG:	Well let's, what, what, I mean you're telling me that I should call up the company and tell him...
MARIJAN:	I don't know how hard you've...
WEINBERG:	Look, look, here's how, let me tell you what's happened.
MARIJAN:	How, how, how far have you gone in these discussions? I don't know, so I can't give you advice.
WEINBERG:	Let me tell you what's happened. They know that they paid Flowerson, just follow this.
MARIJAN:	Yeah.
WEINBERG:	And I blame you. They paid Flowerson for ads and they know that a lot of the ads, because of the timing, we didn't, we didn't place all the ads. You were supposed to return money; no money went back, right? You haven't returned it.
MARIJAN:	Not yet, we haven't compiled the list...
WEINBERG:	I know, [GRUNTS].
MARIJAN:	There is, there is a certain number that we'll obviously have.
WEINBERG:	Six (6) months and you haven't compiled the lists, so, okay. So,

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they know, then they start coming to me.

[VOICES OVERLAP]

MARIJAN:	And it's due to the hurricane, hurricane Sandy destruction; we know that. There was a state of emergency and it's covered by the insurance policy...
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WEINBERG:	But not...!
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MARIJAN:	They should all be paid. But the ones that we really didn't or that we had a problem with; happy to pay. As I said before, I have no problem with this.
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WEINBERG:	They then come back to me, and then they start giving me their invoices!
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MARIJAN:	Okay.
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WEINBERG:	Then they start saying "and what about Computer World?" I said "what about? Computer World? What the fuck, what about Computer World?" "We placed an ad in Computer World every week, every, every application. We got billed for it." What? This is, comes from him and then Dave Turetsky tells me the same thing.
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MARIJAN:	But that was, that was in ads before you had a, you had a, some ads, on the invoices before, you had all of his invoices, ever since...
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WEINBERG:	I ne', I never had the invoices! They, they cut some of those...
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[VOICES OVERLAP]

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MARIJAN:	I, I let...
WEINBERG:	So what about...? I said "what, what Computer World? Why does Computer World have to do with this?" "Let me send you our invoices" So now...
MARIJAN:	Oh, send me a list of all of these copies of these invoices in September, in, in October, but doesn't matter. Uh, so we'll tell them for Computer World "listen guys, because you couldn't put your acts together, this is what was agreed, and this is what was done."
WEINBERG:	But they're never going to say they agreed to it; there's no one that agreed to it Marijan!
MARIJAN:	It doesn't matter.
WEINBERG:	You want to tell me that Elizabeth agreed with you.
WEINBERG:	Yeah.
MARIJAN:	That you were going to bill them for an ad that you never placed?
MARIJAN:	Well that we don't know whether we would have to place or not. That's part of the problem. Because in some instances we did. And once again, we can find the instances when we did. Maybe since 2010 we didn't, but before then we certainly did. I have Broadridge; I have ADP, and Computer World. And we can explain to them, "look this was a safety net, a safety policy. On the other hand this was the only, uh, agency profit. And that was agreed like this."
WEINBERG:	And...

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MARIJAN:	Because everything else is down to the cost, actually below the cost.
WEINBERG:	And, a, again, you're just, I, you're great at it Marijan, you keep talking, you keep talking, but shit! Uh, uh...
MARIJAN:	I'm, I'm telling you the truth!
WEINBERG:	I'm worried. I'm personally worried.
MARIJAN:	Look, I'm not; I'm not amused by all of this, what's happening here. Although, I have to tell you that you should've handled all this in a different way. And I should have been a little bit more transparent.
WEINBERG:	What should I have done? Not told the client anything? I have a...
MARIJAN:	Uh...
WEINBERG:	I'm still sitting in a position where I still haven't!
MARIJAN:	From, from day one you should, you know, but that's, that's...
WEINBERG:	I should, I should have just covered everything up! I asked you to be honest with me, when you left here dozens of times! You, you, you, you, you didn't tell me anything. I know now as a fact that you didn't place ads. I know that you made, in my opinion, more money through this than you made in salary here. This is my opinion.
MARIJAN:	No! Quite the, quite the contrary, quite the contrary.
WEINBERG:	That, well, where did all this money go?

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MARIJAN:	But, but... All of...
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[VOICES OVERLAP]

WEINBERG:	Where did all this money go?!
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MARIJAN:	All of, all of, all of this craziness, all of these placements, all of these interviews, all these reviews, and all of these recruitment reports and everything else... uh, speaking of, speaking of, of, of audit cases. I'm sure you found there's like eight (8), nine (9), ten (10), eleven (11) pages long recruitment reports.
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WEINBERG:	I did.
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MARIJAN:	Somebody, somebody should have done that. Uh, uh, uh, uh, some, somebody did it.
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[VOICES OVERLAP]

WEINBERG:	Somebody did what?
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MARIJAN:	I mean not should have, somebody did it, I mean somebody did produce them.
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WEINBERG:	You did! You worked here! That was your job!
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MARIJAN:	Well, that's not, not, usually our job, speaking of these things. But, but, but...
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WEINBERG:	What do you mean? Uh, eh [STUTTERS], you...
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MARIJAN:	Re', recruitment and everything else.
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WEINBERG:	Recruitment... The, the, I, I sit here, and I shake my head.
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[VOICES OVERLAP]

MARIJAN:	Resume review, recruitment review and everything else. They, they couldn't do it for 250 dollars, it was an agreement; this was just a nominal fee!
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[BACKGROUND: CELL PHONE PINGS]

MARIJAN:	This is just, Mr. Weinberg, this is a nominal fee.
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WEINBERG:	Marijan...
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MARIJAN:	For this, \$250?
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WEINBERG:	... I never came up with; the truth of the matter is you invented Flowerson.
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MARIJAN:	Yeah, but for different purpose and nothing to do with this.
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[VOICES OVERLAP]

WEINBERG:	I know!
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[VOICES OVERLAP]

MARIJAN:	Flowerson was established in ninety eight (98)...
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WEINBERG:	But, uh, we had...
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MARIJAN:	You did your research! In ninety eight (98)...
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WEINBERG:	We...
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MARIJAN:	Which would then [U/I].
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WEINBERG:	I know it was done in ninety eight (98), I know all about it.
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MARIJAN:	And nothing to do with advertising.
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WEINBERG:	But you created Flowerson for advertising purposes.
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MARIJAN:	No, no, no, no.
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WEINBERG:	Well no, excuse me...
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MARIJAN:	I used, I used; exactly!
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[VOICES OVERLAP]

WEINBERG:	... I rephrase, you used Flowerson for advertising purposes.
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MARIJAN:	Exac', absolutely.
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WEINBERG:	I agree with you. But that was your idea, to do this. We were using Bettina, we were using others! We, [U/I]...
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MARIJAN:	Because it, because it, it became unmanageable for ADP, but we
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are manageable.

WEINBERG:	It would not be nice if you let me in on this?
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[VOICES OVERLAP]

MARIJAN:	I did.
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WEINBERG:	How?
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MARIJAN:	You and I had that discussion that I couldn't use Bettina, because Elizabeth conflicts with her.
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[VOICES OVERLAP]

WEINBERG:	That's true!
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MARIJAN:	This, you know, the [U/I].
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[VOICES OVERLAP]

WEINBERG:	But I didn't know you would use it. You said you wanted to use another agency, I said okay! But I didn't know it was you!
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MARIJAN:	I, I use coup', couple of them and the, it's not only me, me, but let's, let's, let's not go into that, into that. You know what Bettina would do? She would send them; she would send me an invoice without the name as to whom it belongs to. And then you know Elizabeth would bounce it back to me, there was; I remember it! Two, two thousand five (2005) in the Burns [PH] file.
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WEINBERG:	I'm using Eli', uh, Bettina now and she does a good job! Now that we've told her what to do. But that doesn't matter either; doesn't
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matter. What matters is how am I going to explain this and, and the other stuff. Well, I'm afraid they're going to hire someone, go out, and look at every ad I made, and see that the ads weren't there! Then I'm going to have to blackmail them and say "if you do something, you're going to lose..."

MARIJAN:	Well, I wouldn't say blackmailing, I would just, basically, basically tell them "look, I mean we reviewed everything, uh, u..." If they ask specific questions about a Computer World, I will tell them the agreement that was made; which I was informed, by Flowerson people is this, this, and that. And I can put in an email to you, so that you have it in writing. You can even transfer that email to them, uh, uh, uh...
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WEINBERG:	Marijan, watch what you're doing.
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MARIJAN:	Well, no, look, I'm letting you manage it. I'm just telling you the truth, from my side. Not, not that I am defending here, myself or Flowerson; I'm just telling you what the truth is. What else? Uh, uh, ideally you want me to, to, to basically say "listen, we, we over-billed them." I didn't over bill them!
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WEINBERG:	Of course you did! You billed them for ads that never took place!
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MARIJAN:	No, no, no; yeah, yeah, yeah, but then look; I mean, this is below the market value and the other thing they got below the market value. And the agreement was to keep them ready, because we really didn't know we were going to needed to be, to actually have that, when we needed to run them.
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WEINBERG:	Marijan, you've been billing them for years like this. So, after billing them hundreds of times, you're saying you're justified for the hundreds of thousands of dollars you billed them in case you need it later. You, you, you're not making any sense!
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MARIJAN:	If I need to litigate it I'll be happy to. Thirty (30) times thirty (30) resume, or 20 resumes that I have to review. Not of course, that
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they would have to revoke each and every I-140 if they try to.  
They're dead meat.

[VOICES OVERLAP]

WEINBERG:	How you touched reviews...
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MARIJAN:	They're dead meat.
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WEINBERG:	How you re'...
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MARIJAN:	It's a si', it's a...
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[VOICES OVERLAP]

WEINBERG:	I don't even know, I swear!
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MARIJAN:	It's a simple call to any of my ICE contacts and all of their I-140's are out. It's a phone call! I call Debbie [PH], "Debbie, you know what, check under ADP tax ID number for the last three (3) years, just ice them." And they're all out, and then we'll see whatever happens, happens after that. So...
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WEINBERG:	Are you, are you saying that to scare me?
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MARIJAN:	No! I'm, I'm just telling you that I'm not, I'm not afraid. But I'm not afraid of civil...of civil...
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[VOICES OVERLAP]

WEINBERG:	So you'll get in touch with ICE and tell them this?
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MARIJAN:	Of course not! Because I think that is...
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WEINBERG:	How about the fraud?!
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MARIJAN:	This is proper, this is proper...
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[VOICES OVERLAP]

WEINBERG:	How about the, the, the, the audit cases? The fraud and the audit cases that you signed! The fraud and the audit cases!
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MARIJAN:	I don't, I don't, I don't, I don't think that, that's the case. But once again, uh, let's go...
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WEINBERG:	I know it's the case!
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MARIJAN:	Speaking of a civil...
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WEINBERG:	I'm trying not to get...
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MARIJAN:	Speaking of a civil litigation, [U/I] agency litigation, I'll defend it, I'll say "look guys, you know, this was the agreement which you made. You got all these cases approved; you got absolutely everything that we did for you and it was a part of the agreement which we had!"
----------	--

WEINBERG:	You think like you're dealing with a small guy that sits there that you could threaten, instead of thinking that you're dealing with a major corporation, selling on the stock exchange worth billions of dollars; whereby Dave Turetsky and David Kwon, who's the counsel, don't give a crap about anything, except what's true and correct. You're missing it Marijan.
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MARIJAN:	Okay, so, I'm, I'm missing it, so we have to litigate, we litigate. But the truth, I'm telling you, is this, that for three thousand (3,000) dollars they got approval of each and every perm case and all of the ads and everything else. Maybe not what's listed on the, on the, on the invoice, because if we couldn't know in, before and so I was sending invoice exactly what we're going to advertise and how we're going to advertise it and when; we couldn't have known that, theoretically, because of many reasons, and because of the plan procedure. But for three (3) grand, they got a phenomenal service.
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WEINBERG:	The service...
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MARIJAN:	And they were very happy with this.
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WEINBERG:	But, the, uh, yeah, you're, you see, what you're doing is you're exaggerating something. You're exaggerating an adverti', an agency that was utilized for the sole purpose of placing an ad. That's it! But my law firm...!
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MARIJAN:	It's much more than that. They did a preliminary, re', reviews, they did the, they did basically, everything except for interviews. [U/I].
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[VOICES OVERLAP]

WEINBERG:	That's, all of which I had, I, I'm sitting, I'm going, I can't believe that was done. I had, the fact of the matter is, I can remember telling you "make sure the managers get every resume. Make sure they eliminate every person who they can eliminate" and I always said one thing "I don't care if it gets approved, I just care that we do the right thing!"
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MARIJAN:	That's, that's between you and me, that's okay. That's between you and me; that I didn't strictly follow that, I agree with you, I should have. On the other hand we would probably have a lot of problems before that. Uh, uh...
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WEINBERG:	Maybe I would have had problems, but legally I don't care! I just care about doing the right thing; that's all I ever cared about!
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MARIJAN:	Okay, I, I, I little bit bothered under pressure, and I, I, I, I, you know, I, I should have been a little bit more strict with these things. I agree with that. But on the other hand of this, there is no fraud; there is particularly no over-billing of them. I mean, one thing, one thing I can do, I could actually go bill them more than this, for everything that was done. Uh, uh, speaking of, speaking of this, now in any case, what do you propose? I'm telling you the truth. I'm telling you what was agreed!
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WEINBERG:	Marijan.
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MARIJAN:	I don't see; I don't see any, any other option.
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[VOICES OVERLAP]

WEINBERG:	I, I wish, I'm trying to get an understanding of how I could explain it, but the way you're explaining it...
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MARIJAN:	Is there any other explanation? I'm telling you the truth; the truth was, guys, uh...
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WEINBERG:	I don't think they are going to think that.
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MARIJAN:	We...
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WEINBERG:	I, I, I'm, I don't think they're going to think that.
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MARIJAN:	This was, this was...
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WEINBERG: I think they're going to say "every ad in Computer World was that was placed on the bill because you had an idea that that's how you can make money." That's what I think they would say.

MARIJAN: Well, they could, they can make that claim, yes. But that basically, what, what they need to realize that this New York Times ads for seven hundred (700) dollars are impossible or eight hundred (800) dollars, because there is no New York Times ad for seven hundred (700) dollars, or eight (800) hundreds dollars that anyone can place. That's impossible.

WEINBERG: Uh, but I'm trying to think...

[VOICES OVERLAP]

MARIJAN: You don't know [U/I].

WEINBERG: But I'm trying to think, why you would save them money? That's like insane.

MARIJAN: No, I wouldn't save them money, this was the billing structure that was agreed, and it was very flexible since 2005, since we started the perm. The reason for that is because they were having problems with the, with the, with the, uh, uh, uh posting of corporate ads. Now, what I should have done, approximately in 2009, 2010, when I realized that, when we basically, basically managed to get this organized properly, with both Elizabeth and somehow, uh, uh, with Broadridge, Broadridge was a bigger problem than ADP. Uh, uh, with these things that basically tell them okay, we'll change the billing structure, so we will no longer have Computer World, and we'll basically increase the prices of New York Time ads. So instead of seven hundred (700) dollars, each of them will be..."

WEINBERG: Why would you bill them any dollars amount less or more than the ads, since you did put there resume receipt and collection you

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billed them for. If you were billing them, why didn't you just have a column and bill them for something? And then I, I...

[VOICES OVERLAP]

MARIJAN:	Well, yeah, the other option, exactly. The other option, the other option, the other option is to increase that one up to a thousand (1,000) dollars.
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WEINBERG:	And, and...
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MARIJAN:	From two (2) fifty (50), two (2) fifty (50) to bring it up. Well, because Elizabeth said it sounded the managers just would then have a tendency to do it by themselves, and she didn't want them to do that. So, so, so, you know we left it as is.
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[VOICES OVERLAP]

WEINBERG:	I'm just shaking my head. I'm shaking my head.
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MARIJAN:	Some managers would say ok for two (2) fifty (50) I don't care if I have to do the resumes and everything else, but for a thousand (1,000) dollars...
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WEINBERG:	We want them to do the resumes! I sent every resume to the managers, I say "you will not get this certification unless you tell me this person is qualified or not, and if they're qualified we have to interview them, if they're qualified you're not going to get a certification."
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MARIJAN:	Impossible in forty (40) or fifty (50) cases in the pipeline at the same time. It's impossible. Times twenty (20), thirty (30) resumes; that's impossible.
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WEINBERG:	You have dozens of managers! That's their job!
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MARIJAN:	Exactly, then these managers come back with a, with a, with a, such a disqualifications which you cannot use for recruitment report. The, read my recruitment report on, on these audits. On what you're, you're, you're digging there. These are master pieces; I didn't lose a single, single, uh, audit over, over recruitment report; I didn't even end up in bulk, except over [U/I].
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[VOICES OVERLAP]

WEINBERG:	How many cases went to supervised recruitment you didn't answer? How many cases did you not give them the papers? I saw them! But I don't want to get into that.
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MARIJAN:	Two (2) to three (3); mistake about two (2) to three (3); mistake about two (2) to three (3).
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WEINBERG:	I don't want to get into it. How about the two (2) cases that I had while you were gone? Prokupchuk uh, uh, and the other guy. Those ads were not placed! Don't tell me they were, they were not placed!
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[VOICES OVERLAP]

MARIJAN:	I did not [U/I].
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WEINBERG:	They were not placed and that is symptomatic of everything else that occurred.
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MARIJAN:	It's a, it's a detail, no it's not [U/I].
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[VOICES OVERLAP]

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WEINBERG:	I would like; the reason that I wanted to speak to you personally; because first of all, I didn't want to talk over the phone about this; second of all, I wanted to get from you honesty about this. So maybe I could work on something to help us.
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MARIJAN:	Yes, I'll, I'll, I'll...
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WEINBERG:	But, I'm not getting it! I'm not getting it.
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[VOICES OVERLAP]

MARIJAN:	I'm not remorseful. If you're, if you're, if you're, if you're hoping that I would be remorseful or, or apologizing [PH].
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WEINBERG:	I would hope you would be honest!
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MARIJAN:	No! No, no, you know my approach, I, I'm actually combative and, and, and aggressive, and I'll tell you why, and I'll tell you why; I have no problem telling you why. We got hundreds of these Indians and Perms and I-140's approved.
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WEINBERG:	And we deserve to be approved!
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MARIJAN:	I, I, I, I...
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WEINBERG:	There aren't qualified people out there!
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MARIJAN:	Yes, yes! Well, no, not really, not really. I'm, I'm, I'm doing the recruitment now for some of my clients and, and I do everything by the book, uh, no, not really, not really, but that's, that's another story, that's another story. Um, uh...
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WEINBERG:	We, we put these ads in, do you get resumes on all of these ads you place for me when you send me an email saying I didn't get a resume, any resume?
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MARIJAN:	Some, sometimes we do, sometimes we don't.
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WEINBERG:	Yeah, but you've sent me three (3), uh, four (4) or five (5) and you said "no resumes received; no resumes received."
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MARIJAN:	The last two (2) to three (3), the last two (2) to three (3) we really didn't. But the ones before, I did. The last, couple of...
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WEINBERG:	I know, and you did, and they were disqualified.
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MARIJAN:	Hopefully so, yes, but, but, but, once again, so, what I'm, what I'm trying to tell you the reason I'm not terribly remorseful, but, eh, a couple of mistakes on two (2) to three hundred (300) cases, or four hundred (400) cases, yeah that's fine. You know up to ten (10) percent; up five (5) percent I have no problem explaining this. Uh, uh, um, however, but my, but my point is this, uh, how to explain to them, "look guys, I mean, you have a large operation which, huge volume. Uh, and we try to do absolutely everything best in accordance with the law and given the economic situation 2007, 2008, 2009 was much different than now, even for computer engineers, after the fall of the Lehman Brothers to try to disqualify these people into trying to get this done. And it was to use this agency, however shadowy it is."
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WEINBERG:	I know the a', I, look, I admire you...
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[VOICES OVERLAP]

MARIJAN:	However shadowy it is, however I don't mind.
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[VOICES OVERLAP]

WEINBERG:	I don't mind using an agency to place the ad; that works! That's fine! But I do mind, and I want to get back to the one issue that you keep on skirting, is that you didn't place the ads...
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WEINBERG:	For Computer World and that you submitted bogus [SIGH] audits. I mean, it's just, like got me insane. I know you did something.
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MARIJAN:	But I have approved audits Mr. Weinberg. They check the ads.
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WEINBERG:	Marijan.
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MARIJAN:	They check the ads.
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WEINBERG:	I checked the ads!
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MARIJAN:	I know that they check.
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WEINBERG:	I checked the ads; I saw the ads that you allege were placed at a certain time; I got the darn freaking paper and they weren't in there! So now you're telling me that I'm wrong. Now you're telling me that I'm wrong, that my eyes deceived me?
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MARIJAN:	No! I'm not telling you that you're, you're wrong or something; I'm just, I'm just a little bit surprised to, to, to learn that. I would have to check each and every of them. Because, I don't remember having that issue; I don't. I mean what I would normally do I would just tell my people "listen, give me that or that ad, uh, call the newspaper agent tell him 'li', listen, this is what I know for the, this is what I need for the audit" and week, two (2) weeks, three (3) weeks later I
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would have the ad, this is how we print it.

WEINBERG:	And the fact, I'm telling you, and the fact that it's alleged that the ad appeared at X date and when I get the paper and you could have, even if you have a tear sheet, which is alleged to be a tear sheet, I look at the sheet of paper and the ad isn't there. Then we dig further and we find the ad that was placed at the time the notice of audit was done. Now, I have this stuff Marijan and you're telling me my eyes are deceiving me, that I don't have it. And that's not true. [Voices overlap]
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MARIJAN:	No, no, I, I, I, I would have to do the analysis of each and every case.
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WEINBERG:	So you're telling me that you don't believe that I have the stuff; I do have it.
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MARIJAN:	What I, what I, what I'm trying, what I'm trying...
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[VOICES OVERLAP]

WEINBERG:	I do have it.
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MARIJAN:	<p>What I'm trying to tell you, what I'm trying to tell you is that when the labor department audits the case they also, also do check ads, I know that for sure. Uh, and I've never had any problem with them. So, I, I'm literally like, okay, uh, uh, you know that too. You know that too that they check the ads, when they, when they basically; when they audit the case. They don't check them when they don't audit. Because they have no, whatever, power, time, or anything else to do that. However, when they do audit them they, they do check. I don't remember losing any case on an audit. On, on, regarding the ad. I had a couple of them that I lost them on different grounds and I file even one (1) or two (2) bulk appeals; I don't know what happened with them, you probably found them somewhere in the file.</p>
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WEINBERG:	You're underestimating me Marijan.
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MARIJAN:	I'm not!
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WEINBERG:	You're underestimating me.
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MARIJAN:	Uh, I'm not. Uh, at the same time...
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WEINBERG:	I'm just telling you, you are. I know that you're not telling me the truth; it's okay. I don't know what to do...
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MARIJAN:	What, what do you want me to; what do you want me to...?
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WEINBERG:	I don't know what to do about it.
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MARIJAN:	Uh, can I suggest?
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WEINBERG:	I don't know what to do about it, but mainly, the, the...
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MARIJAN:	Between you and me...
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WEINBERG:	... Person that I am I'm telling you what the truth...
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MARIJAN:	I understand; I appreciate it.
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WEINBERG:	But I don't believe it; that I believe you made money on this stuff, and that now I'm stuck with this shit and gotta figure out what to do about it. I would just appreciate the truth, but okay. You don't want to give it to me, I understand that you, you, you may not want to, but that's okay.
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MARIJAN:	Uh, uh, uh, I'm, I'm telling you as much as I know, as much as I'm aware. But I'm also telling you what my side of the story is. When you asked me about Computer World I knew the answer in a second! I wasn't surprised. I didn't know what you were gonna, gonna ask me. I guessed that you wanted to ask me about the ads and I'm telling you just, just look at these two things that you have in front of you. This is...
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WEINBERG:	What is this proof? They sent you the ads...
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[VOICES OVERLAP]

MARIJAN:	This is ridiculous!
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WEINBERG:	... These are ads that were actually placed! I already have the tear sheets!
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[VOICES OVERLAP]

MARIJAN:	Yeah [U/I] you're right, it's just; I know that your agency was just sending to me [PH]...
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WEINBERG:	Well I don't know how or who was sending them to you, but...
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MARIJAN:	Well this crazy, uh, uh advertising agent that I had to be here.
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WEINBERG:	But that still doesn't, what agent, [STUTTERS] meaning, Se', Seattle Times!
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MARIJAN:	I don't know what, who that is; what's Boston Globe, Seattle Times, I don't know what it is! Uh, uh I didn't even read. I, I, I didn't even want to open it; I wanted you to be able to open it to show me that this is ridiculous. Because I know that there are no Flowerson ads there; how I know it? Because it's after October [LAUGHS] that
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cannot be it!

WEINBERG:	But the problem really is that there are no Flowerson ads in the other papers either. So, that being said, okay...
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MARIJAN:	So if I can suggest...
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WEINBERG:	That being said...
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MARIJAN:	Explain to ADP and Broadridge in the best light we can and I'm happy to help with the explanation and do nothing else about it.
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WEINBERG:	I feel you owe them.
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MARIJAN:	Forget it like it never, never, never existed.
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[VOICES OVERLAP]

WEINBERG:	You owe them in money alone. In my opinion, over a quarter million dollars; probably much more.
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MARIJAN:	And they owe me, meaning Flowerson...
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WEINBERG:	For what?
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MARIJAN:	With another zero (0) for all the services performed.
----------	---

WEINBERG:	For what?
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MARIJAN:	For all the...
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<u><b>NAME</b></u>	<u><b>ORIGINAL LANGUAGE</b></u>
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WEINBERG:	For the labor certifications I billed them for? Which was your job to do?
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MARIJAN:	No, no, no, no, no, not for the legal part, for the non-legal part of that. Just let it; let them litigate, there is going to be a wonderful counterclaim. And of course in that case they are done, because there, there is going to be much bloodier. So, I don't think they're going to get anywhere with it. Uh, uh, uh, but, but, once again, I, if they're going to civil litigation I may just keep everything in civil litigation, I may not do anything else. But you do need to give them legal advice and tell them my suggestion; we sweep it under the rug.
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WEINBERG:	[SIGHS]. You just don't...
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[VOICES OVERLAP]

MARIJAN:	Now I understand that I'm underestimating a large corporation...
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WEINBERG:	You just don't understand.
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[VOICES OVERLAP]

MARIJAN:	... Because David Turetsky may not think that this is the, the, the option, I wouldn't tell them to sweep it under the rug, particularly not David Turetsky who prides himself in being a very honest guy, but at the same time he doesn't, he doesn't understand the consequences, so you know, I would tell [U/I] "this is what the agency did, this is the services that were performed, uh, you are billed, you got your product, and you got it all on time and you got it all approved.
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WEINBERG:	You billed them for ads you didn't place.
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MARIJAN:	I believe we placed most of them, now some of them they're absolutely due a refund and let me tell you, both because of my, my, my, my personal beliefs and my religion and everything else, despite the fact that I think that whatever I did for the last three (3) to five (5) years I wasn't really paid, but leave it aside, my personal feelings about it, uh, um and for all the help and everything else, which, both, I, me, personally and, and, we as a firm did for them, uh, uh, whatever was not placed should be, should really be refunded. I have no problem with that.
----------	--

WEINBERG:	And how about the Computer World money?
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MARIJAN:	No, because that was part of the agreement! That was what they agreed on it. I, I can even find, I can dig out these emails, you know, Summer of 2005, 2006; that by the way it's a Wildes and Weinberg email. It's already...
----------	--

WEINBERG:	I'll, I'll, I'll, I'll have to look myself now. I, I, I mean, you, you; you can't, I, I...
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MARIJAN:	So, the, the; once again, the agreement was use it if you need it, if not...
----------	--

WEINBERG:	What, what do you mean use it if you need it? You, you are...
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MARIJAN:	With the company [PH].
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WEINBERG:	You, you, you already placed the application. You billed them for a persons name here.
-----------	--

MARIJAN:	Yes.
----------	------

WEINBERG:	Miller; D', de', Dmitri Miller.
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MARIJAN:	Yes.
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WEINBERG:	You bill them for a person's name.
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MARIJAN:	Correct.
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WEINBERG:	And there was no ad placed, but you billed them? How could you need it? I don't understand.
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MARIJAN:	Well if they didn't post a corporate ad, and we were about, you know, everything else was about to expire. In order to be able to physically have a third method of recruitment, we would use Computer World; which I was able normally to place within a week. So, for example if the human resources assistant and I'm, I'm going to back to, to that woman, Williams; uh, we call Williams, actually, exactly, or any other! I, probably couple of them at ADP didn't do their job and they, instead of my Masters degree, they would put Bachelors or vice versa; I would do, I would put a corporate world use this for a third method recruitment. And that's it! And I know if I'm going...
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[VOICES OVERLAP]

WEINBERG:	But that never happened!
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MARIJAN:	It probably didn't happen the last two (2) to three (3) years; you're right. You're, you're...
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WEINBERG:	So for three (3) years I continued to bill them at a thousand plus, hundreds for bills for a thousand plus?
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MARIJAN:	Right, what I should have done, I should have changed the structure of the bills.
----------	---

<u>NAME</u>	<u>ORIGINAL LANGUAGE</u>
WEINBERG:	And where did the hundreds of thousands of dollars that you billed them go?
MARIJAN:	No, it's a, it's a thousand dollars per ad; its a thousand dollars.
WEINBERG:	Right, and there are hundreds of ads!
MARIJAN:	No, but for, for...
WEINBERG:	And hundreds of bills.
MARIJAN:	... For all the services, right; for all the services which we perform.
WEINBERG:	So, which we?
MARIJAN:	Meaning Flowerson performed, which are not billed, because, what is this?
WEINBERG:	I don't even...
MARIJAN:	Two fifty (250)? That's not money! Two fifty (250)?
WEINBERG:	Correct.
MARIJAN:	For dealing with these resumes? The resumes? Come on! Come on, no one in his or her right mind would do that.
WEINBERG:	I don't want, who wants to deal with resumes? Give them the resume, that's their job! That's the law!
MARIJAN:	It would have been impossible to [U/I].

<u><b>NAME</b></u>	<u><b>ORIGINAL LANGUAGE</b></u>
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[VOICES OVERLAP]

WEINBERG:	Uh, I [U/I] a hole in my head.
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MARIJAN:	It would be impossible to get this done. I have absolutely everything ready on every audit. When I got an audit notice, I have everything ready. I didn't miss a single audit day. I had like one (1) or two (2) audits where I had to ask for extensions for completely different reasons that you probably know; nothing else.
----------	--

WEINBERG:	Alright, I'll just tell you my feeling and, and that, and that's simple. That when an audit came out what you did was you realized that you needed to get an ad and you didn't have the ad. That's my belief.
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MARIJAN:	Right, I contacted the, the agency.
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WEINBERG:	Right! And then what you did.
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MARIJAN:	I said "guys give me, give me the ads, September..."
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WEINBERG:	And then what happened, the ad was placed at that time.
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MARIJAN:	You think that's what I did?
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WEINBERG:	And then they cut the ad out and they put another heading on it with the right date.
-----------	--

MARIJAN:	Why? Why would they...?
----------	-------------------------

WEINBERG:	Who's "they"? Aren't you "they"?
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MARIJAN:	Same people... The same people...!
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WEINBERG:	Who's "they"?
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MARIJAN:	The same people who did this.
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WEINBERG:	You're, you saying the paper did this?
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MARIJAN:	This is, no the paper...
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WEINBERG:	The newspaper did it?
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MARIJAN:	The, the newspaper sales agents, that's right. This isn't the only thing Mr. Weinberg.
----------	--

WEINBERG:	Oh my God! Marijan!
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MARIJAN:	They are sending [U/I].
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[VOICES OVERLAP]

WEINBERG:	Now you're putting in newspaper sales agents in this conspiracy?
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MARIJAN:	Well, I don't know who else could it be.
----------	--

WEINBERG:	It was you!
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MARIJAN:	No, [STUTTERS] I, I was the one who ordered it, yes, that's for sure, because I needed it. Look, look what I, accidentally I brought you this. Give me this.
----------	--



<u>NAME</u>	<u>ORIGINAL LANGUAGE</u>
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WEINBERG:	But what does this prove?
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MARIJAN:	Give me just a second, give me just a second; give me just second. Well the prove what the audit [STUTTERS] [ASIDE: Yeah, I'll be there in a second, I'll be there in a second; okay?] [BACKGROUND: UF: Okay]. Mister Weinberg this is, this proves what; the only thing these people, it incidentally proves; I didn't even open it. They send me your, your...
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WEINBERG:	Okay, they sent you an ad! I [U/I].
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[VOICES OVERLAP]

MARIJAN:	... Mister Weinberg your ad, they are sending to me.
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[VOICES OVERLAP]

WEINBERG:	I, I agree. I, I'm agreeing with you completely and I, I, I agree...
-----------	--

MARIJAN:	So this is; this is what they do!
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WEINBERG:	... That they, they, they sent it; I don't know who this is, this is the other people. Global Media. That's your other company.
-----------	--

MARIJAN:	Yes, yes. This isn't your thing. The keep on sending me your ads and I, I, I, I brought you this in closed envelope, because I didn't want you to think that I put something in this envelopes. Uh, uh, uh, uh, uh, this is what the sales agents will do.
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WEINBERG:	It doesn't change a damn thing.
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MARIJAN:	Well it doesn't change from our perspective. I'm trying to explain to you my position. The, you know, the story sounds like, uh, James
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Bond zero (0), zero (0), seven (7) movie. I mean, that, that...

WEINBERG:	That's what it sounds like. It sounds like to me, someone had thought up "how I can make money..."
-----------	--

MARIJAN:	Impossible, impossible.
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WEINBERG:	And that, the Computer World was a great idea.
-----------	--

MARIJAN:	Well, Compu', Computer World was, Computer World was, that's, and, and I'm saying once again; I'll give you copies of the ads which I have. And I have original tear sheets; I'm more than happy to provide to you.
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WEINBERG:	You don't have any ads. I have all the magazines here Marijan.
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[VOICES OVERLAP]

MARIJAN:	Maybe since two thou', maybe since 2010. Well, well, maybe not since 2010. Although, I think there are some placed in 2010, 2011 also. Because I remember struggling with this. But okay! I can, I can check that. I've no problem checking with this and I'll show you. I mean, I can, I can email you within the next couple of days. Uh, uh, uh, and you can then verify, verify directly in the magazine. You can verify directly in the magazine. But for Computer World, I have a very, very easy explanation. I've no problem with this. For these things with the audit, the only thing I can tell you; although, once again, who, uh, who would ever do something like this. They didn't at the end they would say "listen we, we don't have it placed, you know; we'll give you..."
----------	---

WEINBERG:	It's like you don't believe what I'm telling you. It's like you don't believe me when I tell you that I have it Marijan.
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MARIJAN:	It's a little bit too much.
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<u>NAME</u>	<u>ORIGINAL LANGUAGE</u>
WEINBERG:	You don't believe me then?
MARIJAN:	I can't say that I don't believe you, you never lied. Uh, uh, you know what I mean?
WEINBERG:	You don't believe me. I have it Marijan.
MARIJAN:	Uh, I, no, [U/I] [LAUGHS].
WEINBERG:	Every audit, I have the audit response, and the newspaper which it was alleged to be.
MARIJAN:	It's not every, it's not every, could be couple; it's not every. Since 2005? You checked every audit?
WEINBERG:	Could be a couple that are right. No, not since 2005, no. Because in 2005 it was happening, the ads were placed. I'm telling you in 2010 they weren't.
MARIJAN:	Two thousand, well, we have like two (2) to three (3); we don't have a lot of that. Three (3) or four (4). But I, I still don't believe that in all of them, in 2010, 2011 in none of the orders we don't have ads, that's impossible. That, that, I would, I would get it approved. I mean, I, I...
WEINBERG:	No it's not; if you change the dates it's not.
MARIJAN:	Uh, uh, uh...
WEINBERG:	You manipulated it.
MARIJAN:	I, I, I, I didn't manipulate anything.

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WEINBERG:	Okay.
MARIJAN:	I didn't manipulate anything.
WEINBERG:	Alright, I wanted to ask you about it, so I could find out more. You told me what you know and now I'm going to have to deal with this shit.
MARIJAN:	Okay.
WEINBERG:	What can I tell you Marijan? I can't tell you more. I'm not even asking you about individual cases, 'cause it's impossible for me to ask about individual cases. Individual problems I got galore!
MARIJAN:	Yes...
WEINBERG:	Individual problems I got galore!
MARIJAN:	I, I'm sorry it wasn't, wasn't my intention. On the other hand you brought it a little bit on yourself. Uh, uh, uh, so, so, so in many, in many respects, but, uh, let's, let's, let's not you blame me, I blame, I, I blame you for this, and let's forget it. You know, so that's, it, it is, it is, it should not have happened in the first place.
WEINBERG:	Marijan, I, I enjoyed the time we spent together.
MARIJAN:	Me too.
WEINBERG:	You, you were, uh, uh...
MARIJAN:	I had a, I had a...

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WEINBERG:	I, I, I, I, I didn't know what was going on in your head. I, I admit to that. Um, I was wrong. I didn't know; I didn't know what was going on, but I think I misjudged you.
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MARIJAN:	No, you didn't misjudge me. Mister Weinberg, we got all of these cases approved. I got it smoothed without any problem, without any issues. I, I, I had bulk appeals.
----------	---

WEINBERG:	I will tell you this...
-----------	-------------------------

MARIJAN:	I, I, I had cases approved on, on, on audits, so many.
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WEINBERG:	I know you did.
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MARIJAN:	Uh, you have all the, there must be some record or something.
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WEINBERG:	And my, my, my feeling just simply is getting everything approved is not the issue. That's not the issue.
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MARIJAN:	Uh, look, I did...
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WEINBERG:	You think too much that's the issue. You live by that, you always did.
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[VOICES OVERLAP]

MARIJAN:	Ultimately that's what matters. Ultimately you, you, you, you, you fall, you rise and you fall by [U/I].
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[VOICES OVERLAP]

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WEINBERG:	We, as attorneys we will only go so far to do what we have to do. And we have to respect the law.
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MARIJAN:	I wouldn't over; I wouldn't over step that rule; not, not, not consciously; not, not purposefully, uh, break the law. I wouldn't do that, I wouldn't do that. Whether I would try to find, you know, ways to, to overcome it, to, to change it, to avoid it, to evade it, yes. That's for sure. Uh, uh, but not, not to violate the law or something like this. And once again, I'm telling you; look what I managed to achieve through Flowerson with all of these resumes and everything else.
----------	--

WEINBERG:	One of the great sayings is "the truth will set you free."
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MARIJAN:	Um.
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WEINBERG:	And, this is; you're not being truthful with me Marijan and, and...
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MARIJAN:	No, I, I...!
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[VOICES OVERLAP]

WEINBERG:	... And I think we should end it here.
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MARIJAN:	I'm telling you, I'm telling you what I know. And I'm telling you basically, basically what, what the situation was and how it's handled. That's, that's, that's what it is. So, now, once again if you need my help, if you need copies...
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WEINBERG:	I don't even know what to do.
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MARIJAN:	Uh...
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WEINBERG:	I don't know what to do. I'll be in touch with you. I don't know what to do.
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MARIJAN:	Okay, if you need copies of these Computer World's, I'll, I'll, I'll send you copies...
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WEINBERG:	It would be good if you could send me an ad in the Computer World!
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MARIJAN:	Yes!
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WEINBERG:	That would be nice.
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[VOICES OVERLAP]

MARIJAN:	I will [PH].
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WEINBERG:	I've read it...again, since 2010 till... you cannot produce out of the air something that doesn't exist.
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MARIJAN:	Okay, give me, give me couple of days.
----------	--

WEINBERG:	These are, these bills are for text ads, or ads; excuse me not text ads, uh, print ads that are there. There are no print ads, there are none! There are none!
-----------	--

MARIJAN:	I, I agree, I agree, there, there, there are no doubts of this in 2010, 2011 we did very few...
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WEINBERG:	And twelve (12)!
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MARIJAN:	Maybe, maybe not; that is true. But that's what I'm trying to tell you. This is the agency's gross profit. That's why, that's why basically this is the structure of the bill, we, we bill it, we would have advertise if we needed it, we didn't, so the agency basically kept it, and used it for different purposes.
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WEINBERG:	And as [U/I].
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MARIJAN:	So they didn't have to, they didn't have to bill for, for review of resumes and everything else.
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WEINBERG:	Don't you feel any ethical considerations for that? Don't you think anything?
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MARIJAN:	It is, I, I agree with you, I agree with you, it's a little bit improper; uh, on the other hand that was the corporate agreement with both of these clients.
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WEINBERG:	I don't think you could produce an agreement.
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[VOICES OVERLAP]

MARIJAN:	And they were, and they were very happy with this.
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WEINBERG:	I don't think you can produce an agreement or an understanding.
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MARIJAN:	Well, look, uh, uh, uh, uh...
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WEINBERG:	I don't think you can.
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MARIJAN:	I mean would have to dig, dig thousands of the emails, uh...
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<u><b>NAME</b></u>	<u><b>ORIGINAL LANGUAGE</b></u>
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WEINBERG:	And I would say if you have it, I would give it to me, that would be nice to see; that would be great, I would love to see that.
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MARIJAN:	I would have to check my emails from 2004, 2005 when we started with the perm; because this is where you would find.
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[BACKGROUND: CELL PHONE RINGS]

WEINBERG:	[SIGHS].
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MARIJAN:	You know I, I'm trying to tell you, you're biased...
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[VOICES OVERLAP]

WEINBERG:	I don't even have the same servers. I don't even have those emails myself.
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MARIJAN:	... You're a little bit... I, I, I know, I know, but I'm trying to tell you, you, you appear of course to be biased against me, suddenly; I mean, yes we, we...
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[VOICES OVERLAP]

WEINBERG:	I am, because I'm stuck with this! I'm the one that they're asking questions of! I'm the one that, that; that thinks that I'm so clean! I think that everything is fine and then I start exploring it. Think about my situation! Then I start exploring it and I say, "Gee, there are no ads in the newspaper for the ten (10), these ten (10), uh, uh, labor certs. I have." There are no ads! "Gee, that's trouble!" Then I have an audit "gee there is no ad in the audit," now I have to go back to the labor department! What am I going to do? I'm not going to change anything, I'm in trouble!
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MARIJAN:	Yes, yes, I understand your position. I, I, I perfectly understand what you, what you mean. But speaking of, speaking of Computer World [U/I] and things, at least we can tell them the truth. And this also proves what these various sales agents and newspaper agents do. You won't believe how many times I had problems with them! There's a one in particular, I remember that guy from, from, from, uh, Star Ledgers, his name is Sergio. Uh, uh, you know you give him credit card, you, you don't know where ads going run or not. You have to chase him around for the online ad. Last year I had to chase him for the two (2) to three (3) months. I'm just trying to tell you, uh, put yourself in my shoes as well. I'm under the pressure [PH] with forty (40) fifty (50) cases in the pipeline and I have to with a, with a, with a guy in, in Jersey City, who, you know, I, I even gave him my own, uh, my own American Express credit card...
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[VOICES OVERLAP]

WEINBERG:	I understand...
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MARIJAN:	...This is the only way I can control him!
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WEINBERG:	... But this wasn't your job.
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MARIJAN:	Well it wasn't my job, I delegated to others and this is where the problem started.
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WEINBERG:	You delegated to yourself and that's where the problem started!
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MARIJAN:	No, no, to others. I had other people do it. I had other people doing it. Mister Weinberg in case of any investigation you will figure out, I mean...
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WEINBERG:	I am figuring out!
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MARIJAN:	... I'll be able; I'll be able to easily, easily prove it that it wasn't me. But that's, that's, that's another story.
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WEINBERG:	But aren't you Flowerson?
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MARIJAN:	Well, yes I'm on the top of it, but it doesn't mean that I did anything like this, all this. It had my knowledge that this is what we are doing, so...
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WEINBERG:	Considering, considering that you're sitting in that desk next door, that you're, you're completing all the applications that you're working with this agency, that you're telling us, telling me that ads were placed...
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[VOICES OVERLAP]

MARIJAN:	I coordinated the, I coordinated the whole process, yes. I coordinated the whole process. And I was the one who, when I had the audit, I would say "yes! I need now, give me this now." If you remember why we changed that in January, February, March twenty ten (2010), it was partially because of O'Neil [PH], but it wasn't only O'Neil [Ph] I don't want to blame him, other staff members started discussing these ads, with the, with the other [U/I]. We started having problems, Elizabeth called and complained. Patricia, particularly, because she's prone to complain without any reason anyhow, as you know. Uh, she doesn't need much to complain over something, I said "forget, let's not, let's not put it in!"
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WEINBERG:	She's just...
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MARIJAN:	"... Let's not put it in!" You know, because I can't stand it. You know, the, you know Minh is doing, who is doing her extension of an H-1B visa, an engineer and we advertising for the same guy as a systems analyst. So then, you know, to start a discussion there, you opened a whole discussion, then the HR gets involved, then
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the manager gets involved, which is all fine when you have individual case and you bill ten thousand, you know ten grand per, per case, oh that's perfectly fine you loved that discussion. But you're going to have a forty (40), fifty (50) that you have to do it, come on!

WEINBERG: I, I, I, I just...

MARIJAN: So that's why I'm saying, I'm not terribly remorseful. I, I have to tell you I'm actually very proud of the, of the overall achievement. Uh, I do realize the couple of deficiencies. There are; there are several things we should; uh, uh, uh, the ship that I was running had some loose ends, uh, absolutely. But, uh, first, no particular money made, and then the other thing, so many, so many that I got.

MARIJAN: If anyone was enriched, was them.

WEINBERG: I keep laugh', I keep shaking my head. You bill for hundreds of thousands of dollars...

MARIJAN: So what?

WEINBERG: ... And you say no money was made.

MARIJAN: So what? They got their Indian working there for another four (4) or five (5) years; they made fifty (50) grand per, per, per, per case.

WEINBERG: For your sake I, I.... They're business; they're a business...

MARIJAN: Was benefiting, was benefiting from what we are doing. Because that was the agreement! The worst case scenario, not the worst; the best case scena', at best they're in the bed with me. If anything happens, they, not that they had the full knowledge, they, they actually were even ordering this.

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WEINBERG:	Uh, I don't think that there is anything you could ever show me that would say they ordered this. I don't believe that for a second.
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MARIJAN:	Well, that, that of the...
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WEINBERG:	Why would Elizabeth order this? Why would Dave Turetsky order it...
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[VOICES OVERLAP]

MARIJAN:	Not order, but...
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WEINBERG:	... Why would Dave Turetsky order this? Why would?
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MARIJAN:	Not order but, Dave Turetsky was out of it; Dave Turetsky never participated in anything like this. He was; he was completely aloof...
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WEINBERG:	Of course!
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MARIJAN:	... And out of, out of this, out of this picture.
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WEINBERG:	And, but and, and, and all Elizabeth is, is a coordinator. She wasn't planning any of this; she couldn't give you the authority to do these things, to bill them for, for...
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MARIJAN:	Well...
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WEINBERG:	Wasting my time.
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MARIJAN:	That was, that was, that was the agreement that we had to do.
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<u>NAME</u>	<u>ORIGINAL LANGUAGE</u>
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WEINBERG:	Between you and Elizabeth? Between you and Patricia?
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MARIJAN:	Not, not directly, not personally but that, that was agreed with them, yes. And I'm sure.
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[VOICES OVERLAP]

WEINBERG:	Between Elizabeth and Patricia?
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MARIJAN:	I'm sure we can find this...yes! Because we used a couple of times. I'm telling you, I used them. I can show you that I used them.
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WEINBERG:	[U/I].
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MARIJAN:	Maybe not before, after 2010, you're right. Maybe not after 2010, but before 2010, oh my God! Several times, because otherwise I would have to repeat the entire procedure! You what you did...
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WEINBERG:	Yeah, but after I went through the files...
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MARIJAN:	You were just...
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WEINBERG:	And I saw the ads that were placed prior to 2010. I saw them, so I'm not, I saw the ads, there are ads, there are tear sheets; I believe the ads were placed. I believe it!
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MARIJAN:	Yes, but let's go back for a second, because otherwise, what would have happened to us, we would have had to re-advertise the whole thing, if I have to re-advertise the whole thing then there are six months. If it expires then the issue becomes who pays for it?
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<b><u>NAME</u></b>	<b><u>ORIGINAL LANGUAGE</u></b>
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WEINBERG:	[SIGHS] okay.
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MARIJAN:	So of course that I used this; no doubt.
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WEINBERG:	I just... [PH].
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MARIJAN:	Sorry that you think that I'm not truthful, I'm telling you...
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WEINBERG:	I, I, I mean, I, I...
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[VOICES OVERLAP]

MARIJAN:	That, that, I'm telling you you're biased. You're biased...
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WEINBERG:	I'm, I'm just being, I'm st', talking to you man-to-man, and I'm just speaking to you honestly about my feelings. I'm holding nothing back from you Marijan.
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MARIJAN:	I understand what you mean, I understand what you mean.
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WEINBERG:	I, uh, uh, uh, I respect what you did as far, from the legal side, but from the other side I, I do not, I, I, I, I, I, I, I...
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MARIJAN:	There was no other way to get that business otherwise organized.
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WEINBERG:	[SIGH] Oh, I'm just sitting here going on; I think everything is fine, I'm looking at stuff. I believe you put papers in front of me that weren't real, that's what I believe. And I believe that you put them in front of me that weren't real for your own, because you were being enriched by the advertisements.
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<u>NAME</u>	<u>ORIGINAL LANGUAGE</u>
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MARIJAN:	No, come on. Far from that, far from that.
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WEINBERG:	Okay.
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MARIJAN:	There, there's so much, there was so much work and so much thing which, you know. But, I didn't really do directing myself, but other people had to do it in order to get this done.
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WEINBERG:	People outside of this office?
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MARIJAN:	Yes, yes, which are not part of Wildes and Weinberg, which are a part of Flowerson. In a case of any investigation I will have no problem showing who did what, where, and when. It will take me a little bit, a little while, it would cause all kinds of problems [BACKGROUND: CELL PHONE RINGS] because of Hurricane Sandy destruction. But I still, I can still find it. Okay?
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WEINBERG:	Good to see you Marijan.
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MARIJAN:	Look I'll, I'll send you a copies of these uh, uh, uh, uh, uh, uh...
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WEINBERG:	I'd like to see...
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[VOICES OVERLAP]

MARIJAN:	Yeah, yeah, yeah, yeah, yeah.
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WEINBERG:	And I'd like to see your accounting...
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MARIJAN:	Yeah, yeah, yeah, yeah, yeah.
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<u>NAME</u>	<u>ORIGINAL LANGUAGE</u>
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WEINBERG:	On what you owe them. This is something that would help you a lot.
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MARIJAN:	Well, well [U/I] said that, that, that he would, he would send that one. That that's, that's...
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WEINBERG:	No we don't know the answer.
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[PAPERS SHUFFLING]

MARIJAN:	That's a separate business [PH]. Well, well we knew, we knew [Ph] the answer. We, we, we know there are like four (4) or five (5), or six (6) of them. Uh, uh, maybe ten (10), uh, I know that for sure. And there probably is; I mean I said I'll give refund. Its okay, but Computer World, I'll send refund.
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[CELL PHONE NOTIFICATION SOUND]

WEINBERG:	Good luck Marijan [PH].
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MARIJAN:	Okay, Computer World magazine I'll send.
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WEINBERG:	Okay.
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MARIJAN:	This just to prove you're right; that should prove you that I'm right and that you're wrong.
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WEINBERG:	Alright! Okay.
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MARIJAN:	And then you'll be able to verify. I'll send you a copy, you verify the dates.
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<u>NAME</u>	<u>ORIGINAL LANGUAGE</u>
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WEINBERG:	My son is freaking out.
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MARIJAN:	That's okay, that's okay.
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WEINBERG:	Okay.
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MARIJAN:	Okay, bye. See ya.
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WEINBERG:	[ONE SIDED CONVERSATION: Yeah babe [PH]. Yeah, go ahead... It's all one (1) wire, big deal! Give me the number of the dealership, and who's the, the agent? Who's the agent? Who do I have to speak to? Okay, give me the number. What do you mean you're going to have to get a rental car? They can't fix it now? [WHISPERS]. Okay, here's what you're gonna do, you're gonna sit down, I'm going to, I'm finishing up my day. I'm going to call you shortly; good bye.]
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[MUFFLED VOICES]

UM2:	... You can hear a decent amount.
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WEINBERG:	Yeah [U/I].
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UM2:	What, uh, what's the gist of the, you just pretty much [U/I].
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WEINBERG:	[CHUCKLES]. Aside from denying it and going in and out of admitting and denying it...
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[END OF RECORDING]